

Application No. 10/721,140

REMARKS

Claims 1 to 80 are pending in the application. The Examiner has subjected the claims to a restriction requirement, and claims 1 to 40, 47 to 50, 55, 60 to 62, and 69 to 80 have been withdrawn from consideration. Claims 41, 42, 44, 51 to 54, 56 to 59, 63, 64, and 66 stand rejected under 35 U.S.C. §102(a) as being anticipated by Weber et al. (WO 03/033594 A1). Claims 65, 67, and 68 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Weber et al. in view of Bender et al. (U.S. Patent 6,716,956). Claims 43, 45, and 46 have been objected to as being dependent upon a rejected base claim, and have been indicated to be allowable if rewritten in independent form.

Applicant is submitting herewith a Declaration under 37 C.F.R. §1.131 which establishes that the invention claimed in the present application was invented by the inventor in Canada prior to April 24, 2003, the publication date of Weber et al. (WO 03/033594 A1), thereby removing this document as a reference.

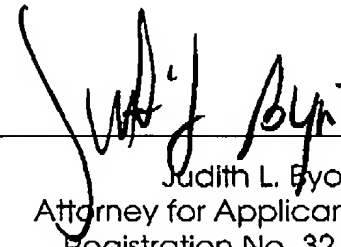
Applicant believes that the foregoing distinctions place the claims in condition for allowance, and accordingly respectfully requests reconsideration and withdrawal of all grounds for rejection.

Applicants respectfully request further consideration of the nonelected claims upon allowance of a generic claim.

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In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby authorized to call Applicant(s) attorney, Judith L. Byorick, at Telephone Number (585) 423-4564, Rochester, New York.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judith L. Byorick", is written over a horizontal line.

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